

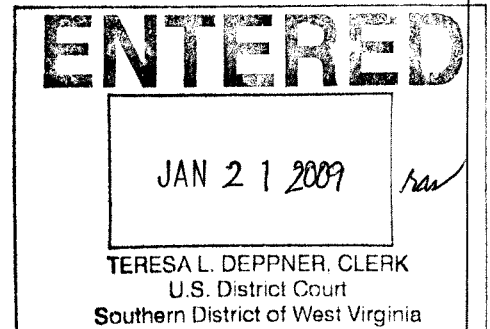
STATE OF WEST VIRGINIA

At a Regular Term of the Supreme Court of Appeals continued and held at Charleston, Kanawha County, on the 14<sup>th</sup> day of January 2009, the following order was made and entered:

American Modern Home Insurance Company, Plaintiff

v.) No. 33861 *CIVIL ACTION 6:06-1015*

Jeff Corra, et al., Defendants



The Court, having maturely considered the certificate of the United States District Court for the Southern District, the record, and the oral argument and briefs of counsel thereon, doth hereby answer the questions certified to this Court, and this matter is hereby discharged from the docket of this Court; all of which is ordered to be certified to the United States District Court for the Southern District and to the parties herein.

The syllabus of points adjudicated, prefixed to the written opinion aforesaid, prepared by Chief Justice Maynard, was concurred in by Justices Davis, Starcher, McHugh and Benjamin. Senior Status Justice McHugh, sitting by temporary assignment, by administrative order entered on September 11, 2008, in light of the illness of Justice Albright.

A True Copy

Attest:

*Rory J. Perry II.*  
Clerk, Supreme Court of Appeals